



REGULAR MEETING MINUTES

Friday April 11, 2008

9:00 A.M. – 12:00 P.M.

Hotel Santa Fe

Santa Fe, New Mexico

1. CALL TO ORDER:

A regular meeting of the NCRTD Board was called to order by Vice Chair Charles Dorame at approximately 9:00 a.m. at the Hotel Santa Fe, Santa Fe New Mexico.

a. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the flag was recited.

b. ROLL CALL

Roll call indicated the presence of a quorum as follows:

Members Present:

City of Española	Councilor Al Herrera
Los Alamos County	Mr. Anthony Mortillaro
Rio Arriba County	Commissioner Elias Coríz
	Mr. Tomás Campos
Pojoaque Pueblo	Mr. Tim Vigil
San Ildefonso	Mr. Raymond Martínez
Ohkay Owingeh	Mr. Johnny Abeyta
Santa Clara Pueblo	
City of Santa Fe	Councilor Miguel Chávez
	Mr. Jon Bulhuis
Santa Fe County	Mr. Jack Kolkmeyer
	Commissioner Mike Anaya
Taos County	Commissioner Charlie Gonzales
	Mr. Sammy Pacheco

Tesuque Pueblo

Staff Members Present:

Ms. Josette Lucero, Executive Director

Ms. Linda Trujillo, Regional Coordinator

Mr. Jack Valencia, Transit Coordinator

Mr. Ivan Guillen, Regional Transit Coordinator Supervisor

Ms. Ashley Sanderson, outgoing Marketing Manager

Mr. Mark Basham, Attorney

Ms. Marjorie Kaplan, Accountant

Ms. Resha Spero, incoming Marketing Manager

Others Present:

Mr. Greg White, NMDOT

Mr. David Harris, NMDOT

c. INTRODUCTIONS

Everyone present introduced himself or herself to the Board.

d. APPROVAL OF AGENDA

Ms. Lucero requested that an agenda item be added to consider the letters of application for JARC and TANF for which they needed a resolution

Commissioner Coríz moved to approve the Agenda as amended. Councilor Herrera seconded the motion and it passed by unanimous voice vote.

e. MINUTES FROM MARCH.

Councilor Herrera noted one minor change on the February minutes on page 9, it should say “mid year budget review.”

Mr. Valencia asked for a correction on page 10 where “JAG” should be “JARC.”

Councilor Herrera moved to approve the March minutes as amended. Councilor Chávez seconded the motion and it passed by unanimous voice vote.

2. Presentations and Discussion Items:

a. Executive Director Update - Ms. Lucero

Ms. Lucero reviewed her printed report. She felt the budget meeting last Friday went well. She listed those who came to the meeting and said they would bring a report to the full board in May and in the meantime, were doing presentations.

She acknowledged receiving \$610,000 in capital outlay from the legislature.

She reported a meeting held by Santa Fe Commissioner Sullivan who asked Commissioner Anaya, Mr. Kolkmeier and County Manager, Roman Abeyta to discuss with them on the 16th. She asked Commissioner Anaya to report on it.

Commissioner Anaya explained that yesterday he, Mr. Kolkmeier, Commissioner Sullivan and Councilor Chávez had a meeting on the 3/16% tax. Commissioner Sullivan was strongly opposed and said he would go out and fight it, go to the news, whatever to fight it and he thought other commissioners would support the decision. He thought the \$12 million was out of line and too much money. He thought they should start smaller and reduce the services. He threw out for discussion the 1/8% and then gradually move upward. He knew DOT and MR COG needed money to operate the train and that would be another hit for the county.

Mr. Kolkmeier said Commissioner Anaya pretty much hit everything. The discussion in Santa Fe County might not be different than others. As Commissioner Anaya said, the service plan might be too broad. He added that Commissioner Sullivan initially argued for 1/16 which would only be \$2.3 million. After the meeting, he agreed considering 1/8th would be okay.

Mr. Bulthuis arrived at this time.

Mr. Kolkmeier asked if they should have a discussion to consider that. It would mean the plan for Santa Fe would have to be pared back. Commissioner Sullivan pointed out that Santa Fe County was the largest entity and would have to pass the largest GRT.

Commissioner Anaya thanked Mr. Kolkmeier. He said he told Commissioner Sullivan that the NCRTD was a region and even though Santa Fe would generate the most money, he didn't have a problem sharing with the region. He didn't have a problem with doing that.

Mr. Valencia said he wanted to set a foundation, whichever way the Board wanted to go. First, Commissioner Sullivan misunderstood that NCRTD could access all the DOT funds and maximize it on a split of 80/20 basis. That was not the case.

Secondly, as the RTD went through this, the consultant identified in excess of \$20 million worth of projects. With the taxation at 3/16 it would bring in \$12 million and would be 38% of the NCRTD taxing authority and at 1/8% it would be 25% of taxing authority. \$12m was only 60% of the identified projects. 1/8 would be 40% of identified projects.

Mr. Mortillaro asked Commissioner Anaya if Commissioner Sullivan's concern was about how much it would bring in or how much impact on an individual for taxes paid.

Commissioner Anaya said he believed it would be both.

Mr. Mortillaro asked how much 3/16% would be on a purchase.

Ms. Spero passed around a report on it and Ms. Kaplan said on a \$20 purchase it would be less than three cents.

Mr. Mortillaro asked if they discussed how much would come out of Santa Fe County.

Ms. Lucero said 81% would be returned to Santa Fe County for services (over \$6 million).

Mr. Kolkmeier said staff did discuss those things with Commissioner Sullivan and also what the Commission's points of view were in previous meetings.

Councilor Chávez said it was not clear to him in the conversation from Sullivan whether he was concerned about impact on the individual or just the dollar amount. He guessed it was the impact overall and he thought that the NCRTD was just jumping ahead too far, although he wanted more information on the Eldorado Line.

He was concerned it would be double taxation if the Rail Runner ended up with taxing authority. That seemed to be the underlying driving force. The money spent would be about the same amount of effort either at 1/8 or 3/16.

He said he suggested to Sullivan that he come to the Board to speak for himself.

Vice Chair Dorame asked Ms. Lucero to go through the proposal.

Ms. Lucero explained this was to be presented at the next board meeting. But Commissioner Anaya asked yesterday that she put together a budget for today. She pointed out that the second page showed the potential distributions. A lot of the counties got the power points on it.

Councilor Chávez asked how staff determined what routes to cut. They were set as priorities by the Board.

Mr. Valencia said because it was a short turn around they just tried to look at the chief cuts to the fiscal needs, along with what might have been lesser priority. They had worked with the consultants over the last 90 days and it was difficult to do quickly. They did not have a chance to make the effective cuts.

Ms. Lucero said the staff would have to do it. And put the new numbers in. The difference in each county was the cut but as to the actual routes, they would have to go back and meet with everyone on which routes to cut.

Mr. Mortillaro reminded them that some time back, the Board approved a resolution going forward with the 1/8th and last meeting, they approved a new resolution approving 3/16. So now they would revisit both of those. All they had was one person's opposition and asked if that would merit a change.

Vice Chair Dorame noted that Pojoaque, Taos and Rio Arriba wanted more discussion on the GRT and at that time it was discussed what effect it would have and a deadline was set on when the tax would go to the ballot and a vote taken in the November election on the GRT. There was no discussion about going back. That was his understanding at that time.

Commissioner Anaya agreed and thought Commissioner Sullivan should have been here. He said he told Commissioner Sullivan that he would bring it up and that was why he did.

He commented that he would rather see something passed and the RTD get some money than no money. He noted they had two commissioners running for office: one was running for congress and one running for PRC and he didn't think they would vote for it now that they were running. Commissioner Sullivan was already opposed. So does the RTD want to raise \$12 million or \$8 million. If they were going to go out there and work hard, and he did support 3/16 now that gasoline prices were skyrocketing. So do we want people on buses and rails? He felt it was hard when one or more say nothing but negatives on what they were trying to do.

Mr. Mortillaro asked Mr. Basham if what they were asking the counties to do was to vote on an ordinance that would put the question on the ballot so they were not voting for or against the amount.

Mr. Basham explained there were two ordinances: one was the ballot and the counties did not have to support it but they were required to pass that ordinance.

Mr. Mortillaro asked what recourse there was if they refused.

Mr. Basham said they would be in violation of state statute.

Councilor Chávez suggested they could look at the differences and the impact it would have on possible expansion and adding new routes.

Mr. Bulthuis said in looking over it, the revisions would bring it down and he didn't think the cuts would pass at City Council. They were talking about keeping what existed right now. That wouldn't be a great sales tool. It was tough.

Mr. Valencia thought it was unfortunate the debate was happening without more specifics. It was necessary for the sub committee to reassemble.

Commissioner Coríz asked Commissioner Anaya if he had the opportunity to get the pulse of others. He didn't feel they should be bullied around by Sullivan. He could voice his opinion but it would be beneficial that the RTD move along with the 3/16. He didn't know what transpired yesterday but knew that the board and staff had worked hard. He was here to support the 3/16 and say they were headed in the right direction. This would harness the rail and have more transportation to areas where it was needed. This would help Santa Fe County. He said he had gotten the pulse of his Commission and felt they would support it. He said he didn't have a problem calling Harry to find out his opinion.

Commissioner Gonzales asked if it would be a violation if they did not put it on the ballot. Mr. Basham agreed.

Commissioner Gonzales asked if a county did not vote on it, they would still be taxed.

Mr. Basham said that on the election itself, that was true.

Commissioner Gonzales said it was a hard sell for Taos County. The need was there but they had major changes and increases in GRT as they tried to build a new complex and were still

short of the goal for what was needed. But on summary of totals for Taos and those cuts, he wondered what they would do.

Ms. Lucero said they would have to go back to square one to decide what would be eliminated.

Commissioner Anaya replied to Commissioner Coríz that he had not asked how each commissioner felt. He just heard from Commissioner Sullivan.

Mr. Valencia explained that by statute, they were required to approve it and place it on the ballot. Philosophically, as elected officials, he always believed it was the public's right to vote on the ballot. That was the process but now they had to delve in to the service plans.

Mr. Pacheco asked Mr. Basham why the amended intergovernmental contract was on the agenda last time.

Mr. Basham explained that it was because Taos County wanted to join the NCRTD.

Mr. Pacheco noted that Taos County did pass a resolution to join in early 2007 and he was curious about how long it took to do the agreement.

Ms. Lucero explained that it was because of delays with the Town of Taos and finally had to tell them the RTD would have to move ahead.

Mr. Pacheco said it was Taos County's position that the contract had to be approved by a public hearing and that has not happened in Taos County and we have to give notice ten days in advance and that has not happened.

Mr. Basham explained that the intergovernmental contract itself, the public hearing was before this body.

Mr. Pacheco said they had to jump through some hoops to join the RTD and they had not fulfilled those requirements. He asked if that meant that Taos should not participate in the closed session or have any of those services.

Mr. Kolkmeier felt the RTD should operate from strength and should figure out where those positions of strength were. He asked what would happen if the vote failed with the voters and what that would mean for the RTD.

Ms. Lucero said they would operate as the RTD did today.

Mr. Kolkmeier said he was still unclear how it happened.

Mr. Basham explained that it was the majority of votes in the region.

Councilor Chávez said he would argue that with Commissioner Sullivan. At some point, it had to work in the best interests of the whole group. Taos County might be a hard sell.

Mr. Bulthuis said it was a math question. Commissioner Anaya talked about 89% of votes being generated in the County but he thought it came out to 40%.

Ms. Lucero said it really was 89%. She said because they had less than 24 hours from yesterday afternoon to do this what the members were looking at was not a true picture on the cuts. People who were there understood how it was cut up.

Commissioner Coríz thought it would definitely benefit the Board to go to our respective boards and work on how it would impact each entity. He thought they had to have the discussion on an agenda with the public. It was more beneficial to have the Boards and Commissions present to hear that.

Mr. Bulthuis said the City of Santa Fe, following the presentation at Santa Fe County, the County Manager asked the City to develop a position on the tax. The City would do that through the Transit Advisory Board and they were working on that and would consider it at their next meeting.

Vice Chair Dorame noted they had two suggestions: to invite Commissioner Sullivan to the Board meeting and to convene the sub committee. He suggested they might have to call a special meeting and asked what the requirements were.

Mr. Basham said the Board did pass the 3/16 and gave counties 75 days to consider it. Los Alamos has published and Rio Arriba too. So staff has taken these steps already.

Commissioner Anaya thanked staff for putting this report together. He said he just wanted to bring it up for discussion again. When he went back to his Commission, he would share what the Board discussed today and how imp it was.

Commissioner Gonzales also thanked the staff for all the time they had spent on this and explained it to each Commission. That was still ongoing. He said they would have a joint meeting with the Town of Taos on Monday and educate them and bring them up to speed and then it was going to Commission on Tuesday for a vote. It was important to his county. People were cautious about the services.

Commissioner Anaya believed if this were passed it would take about 80% to the county. Another comment that was made was that at the next commission meeting there would be a resolution to withdraw from the RTD. This was just what was said. That way there were no surprises.

Councilor Chávez asked if that was introduced by Commissioner Sullivan.

Commissioner Anaya agreed that was what he said. He said that meeting would be on the 29th.

Ms. Lucero clarified that if they moved forward with 3/16, Commissioner Sullivan would introduce the resolution.

Mr. Basham said the motion to withdraw required a 2/3 majority of this board.

Councilor Herrera said he attended the committee meeting last week and had the benefit of the briefing by staff, which he believed was an amazing job. They truly took into consideration the services and needs of the communities. He believed the proposals acted on for 3/16 was certainly a step in the right direction and was not the full authority. He still believed it was right and also understood the publicity that might be brought to bear that they sometimes wanted to operate in their own little cubbyhole. The RTD was a regional entity. The service plan proposed spoke to that notion.

He thought it might be a good idea to brief the entire board on what the sub committee got. It would be a different perspective.

Yesterday he was in an Economic Development briefing and transportation was certainly a part of that. All the services were needed; this was a step in right direction. So he wondered, even though the information was being presented to the various commissions if the board should not be briefed on it.

Ms. Lucero said she was planning to do so at the May meeting, to provide- the final service plan and final distribution.

Councilor Herrera suggested that in light of this discussion the Board might need a special meeting on that issue alone.

Ms. Lucero noted the May meeting would be May 2nd.

Councilor Herrera said he didn't want to go back on the 3/16th but forward. More information was probably vital.

Mr. Mortillaro agreed that a special meeting as soon as possible should be held. He said he was at the briefing and when you see the numbers and what would be returned, the largest beneficiaries were Rio Arriba and Taos but it was a regional service and the counties had to set aside those parochial views. He thought they needed to have that meeting to see what their constituencies would be getting.

Councilor Chávez suggested to staff and board to ask the full board to attend the finance committee meeting.

Ms. Lucero agreed it would be fine.

Vice Chair Dorame asked if it was a consensus for a special meeting.

Mr. Mortillaro moved it to have special meeting of NCRTD in April hosted by the subcommittee. Councilor Chávez seconded the motion.

The Board discussed several possible dates to have the meeting and finally agreed to have it on Thursday, April 17th at 9:00 a.m.

Vice Chair Dorame said staff would arrange a place.

Mr. Mortillaro noted that some members had been invited to the Economic Development Initiative in Santa Fe at 11:00 so the meeting should probably be in Santa Fe.

Ms. Lucero agreed to find a space in Santa Fe.

The motion passed by unanimous voice vote.

Ms. Lucero announced that today was Ashley Sanderson's last day and Resha Spero had been hired to take her place.

Ms. Sanderson said the experience had been very special and she wished the Board very great success on it.

Vice Chair Dorame thanked her on behalf of the whole board, knowing it had been hard. He said he hoped to see her on one of the blue buses.

b. Financial Report - Marjorie Kaplan

Ms. Kaplan referred to the printed report that was in a new summary format. She wanted feedback on it and had nothing in particular to report.

Mr. Mortillaro said he had asked for a consolidated report on one sheet at the February Board meeting.

Ms. Kaplan said she attempted to do that but it was hard to get it on a one-page consistent report. She said she would keep working on it.

The financial report was accepted as presented.

3. ACTION ITEMS.

A. Resolution 2008-03, lowering the age of unattended riders - Ivan Guillen.

Mr. Guillen explained that the resolution would reduce the minimum age from 13 to 10. He said they had many requests from Taos and charter schools opening up to provide the transportation for students. So he proposed 10 years as the minimum to expand their service.

Commissioner Anaya asked about doing extensive background checks when hiring our bus drivers.

Mr. Guillen said they did criminal background and license checks and financial information and drug testing. He said they were subject to random testing.

Commissioner Anaya wanted to make sure the parents were very comfortable with this.

Vice Chair Dorame asked if they had the information in their packets.

Mr. Guillen said it was in the personnel file.

Chair Dorame said the policy needed to be in the pamphlet.

Mr. Guillen added that they were subject to the open records act.

Commissioner Anaya asked how they would know that the child was ten years of age.

Mr. Guillen said if they looked younger than ten, they would ask for proof.

Commissioner Anaya asked if there was anything the parents would have to sign.

Mr. Guillen said there was not.

Commissioner Anaya asked if they were okay with this legally.

Mr. Basham said the policy was not a legal issue. They would like to see parent permission but that was just a policy thing.

Commissioner Anaya said he just signed a permission slip for his daughter to go on a field trip. The reason was if something happened not to hold the driver responsible. When the ten-year old got on the bus, NCRTD was responsible and there was so much on the news these days.

Mr. Basham said he would like to see a permission slip from the parent. They were usually a release of liability and were mostly ineffective. You cannot consent to negatives. But it was still important to have.

Councilor Chávez said Santa Fe Trails had the same age and didn't ask for any verification; it was an honor system but there were still concerns. He asked what it would take to develop a pass for these children and if the resolution could include language for the school districts to be part of the safety campaign with schools.

Commissioner Coríz suggested they consider an I.D. for them.

Mr. Bulthuis thought there was a possibility for a child to travel hundreds of miles from home so maybe some thought to restrict that to local service only would be in order.

Ms. Lucero asked Mr. Guillen to get examples of requests from parents.

Mr. Guillen shared some examples. It alleviated a problem for working parents. He checked the Internet and found some at 15 and others as low as 6.

Commissioner Anaya thought it was good but they needed to look at a tag or badge showing where they could travel.

Commissioner Gonzales related a blind nephew 13 who traveled on the bus from Los Alamos to Taos. It worked well. He felt there were a lot of ways to do it for security and they shouldn't just drop them without someone to meet them.

Mr. Guillen said the drivers knew what to do. Nobody was left behind. They made sure.

Commissioner Gonzales felt as long as that was in the policy for the drivers, that might work.

Mr. Abeyta related how he used to travel San Francisco as a child. He asked what they needed to do to help the drivers legally and if staff could look into the legal aspects of it. It was a great service and much better than hitch hiking.

Commissioner Anaya moved to table and have staff look at it further. Councilor Herrera seconded the motion and it passed by unanimous voice vote.

b. Resolution 2008-04 - Free Bus Fare in 2008 – Ivan Guillen

Ms. Lucero explained that the free bus fare was promotional. It was successful for Los Alamos so they wanted to do this and give a report to board at the end of the year on whether it was successful or not. It was more of a marketing campaign to increase ridership.

Vice Chair Dorame said it needed to include the “2008” in the resolution.

Commissioner Gonzales asked how this was interpreted by the anti-donation clause.

Mr. Basham said he was assured by DOT that it was allowed by a letter.

Mr. Harris agreed that just a letter of justification was required and there was no federal requirement to charge a fare on a public transit system.

He said the letter should have the justification on why it was being done and what was required because it takes from local revenue.

Commissioner Anaya asked if it was just on all fixed routes.

Ms. Lucero agreed. She briefly explained the restriction. She added that fares currently were less than one percent of the operating budget and could amount to \$45,000.

Commissioner Anaya asked if it was paid when you got on the bus.

Mr. Harris said sometimes the administrative costs of counting money exceeded the revenue generated or a very small profit. In some cases it made sense. There were a number of factors.

Ms. Lucero agreed that it cost to receive a fare.

Mr. Bulthuis said that by law they would have to do it with on-demand routes too. He said there might also be political ramifications of doing it at GRT taxing time.

Commissioner Anaya asked when would it start.

Ms. Lucero said they planned to start on May 1st.

Commissioner Anaya didn't think it would hurt and he would promote it.

Mr. Valencia offered an amendment that in the title they delete "fixed" and throughout the document. And in the fifth whereas the dates be inserted "through December 31st 2008."

Mr. Bulthuis explained that it was a civil rights issue not to charge disabled people when you don't charge able bodied.

Councilor Herrera moved to postpone the resolution and to reconsider it at the next meeting. Councilor Chávez seconded the motion and it passed by unanimous voice vote.

c. Letters of Application for JARC and TANF -

Ms. Lucero briefly explained the letters.

Mr. Bulthuis moved to approve the letters of application. Councilor Chávez seconded the motion and it passed by unanimous voice vote.

DISCUSSION ITEM: Taos County Membership Status

Vice-Chairman Dorame asked the Board to consider whether Taos County's involvement and participation in the NCRTD, was as an official member since it had been reported that the contract had not been finalized in accordance with legal technicality.

Commissioner Gonzales stated that according to the understanding of Taos County, they were a member and thus in response to Vice Chairman Dorame, the answer is "yes." Commissioner Gonzales said his opinion was that Taos County should, by prior established precedent, be allowed to continue participation in board meetings and receive the benefits provided by the NCRTD as a member.

Commissioner Gonzales stated that an official decision was to be made by Taos County on Tuesday, April 15th 2008. He said the information regarding the GRT Proposal would be presented to the full Taos County Commission at that meeting.

Mr. Basham said that a formal decision regarding the membership status of Taos County should be decided on Tuesday, April 15th 2008 as proposed by Commissioner Gonzales. He noted that Taos County signed off on the contract, but that the signature was only a partial completion of the Intergovernmental Contract, as the full body of the Taos County has not signed off on the contract accepting Taos County as an official NCRTD Member.

Ms. Lucero said that Taos County was and had been participating in the NCRTD as an active member and the finalization of their membership should be completed on Tuesday, April 15th 2008. She said the NCRTD has provided major support to Taos County thus far and the Taos County Commission has authorized participation in the district by Taos County and that an official ruling needed to be finalized.

Mr. Basham asked what the bottom line of Taos County's position was.

Mr. Basham said that Taos County had been given tremendous support, but if they wanted to refrain from an executive decision, they could.

Mr. Valencia stated that Taos County had been participating, firstly, by the venue of voting. He pointed out that Taos County's unofficial vote count had been considered and included in the Voting Strength Analysis to date. He also pointed out that Taos County had been participating in official activities and receiving official benefits. Mr. Valencia reaffirmed the fact that Taos County needed to solidify their membership officially by voting on and finalizing the legal documentation.

Commissioner Gonzales stated that the determination as to whether or not Taos County was a member was inconsistent. Commissioner Gonzales stated that Taos had voted on the resolutions pertaining to the GRT, but on the other hand, they were not considered an official member and that was inconsistent.

Mr. Basham said his legal opinion was that a draft stating the post-membership needed to be drawn and signed.

Commissioner Gonzales asked, "If Taos County wishes to withdraw from the district, does that, in turn, mean that Taos County will then be held hostage to the contribution of their GRT Revenues to the district?" He said he wanted to protect Taos County up front of Taos County's position.

Commissioner Coríz, said if was not in the best interests of the board as a whole, nor in the best interest of the NCRTD, to exclude Taos County as an official and continued participant in the district. Commissioner Coríz stated that he supported Mr. Mortillaro's opinion that Taos

County should be allowed to participate, since they have been fully pro-active to date. Commissioner Coriz said he hoped Taos County could resolve this issue of membership in their upcoming meeting.

Mr. Mortillaro stated that the services provided to Taos County by NCRTD required by law that Taos County must officially be a member.

Commissioner Coríz said that Taos County representatives have been attending the NCRTD Board Meetings, and have been voting to date, and those votes have been counted officially in the Voting Strength Analysis.

Commissioner Coriz stated this participation to date from Taos County representatives was of great concern to the board, as a precedent had been set, whether legal or not.

Commissioner Gonzales asked Mrs. Lucero if funding from grant money had been provided to Taos County thus far.

Mrs. Lucero responded that it had. She said monies from the 5311 Grant funding had been distributed to Taos County already.

Mr. Pacheco agreed that Taos County was a member of the RTD in contract; however, the requirement of the public hearing had not yet been satisfied. Mr. Pacheco stated that; the due process could pose a problem, as the procedural requirements were not yet satisfied, which presented a liability to Taos County.

Mr. Pacheco requested a letter from legal counsel stating, “yes” or “no” regarding Taos County as a board member. Mr. Pacheco also requested “written procedural protocol in relation to other counties that have gone through the same process since inception as a board member.”

Mr. Basham said that the requirement of a provision of such a letter to Taos County was unclear and that the Taos County Meeting, Tuesday, April 15th 2008, should resolve the membership issue. He requested that Taos County resolve the membership issue at the time of their upcoming Tuesday meeting, April 15th 2008.

At this time, the Taos County representatives exited the board meeting due to procedural discrepancy and legal complications of participation regarding non-official membership.

d. Closed Session: Executive Session on Personnel Matters: Annual

Evaluation of Executive Director – Vice-Chairman Dorame:

Vice Chairman Dorame moved to go into executive session as authorized under §10-15-1(H)(2) of the Open Meetings Act to discuss personnel matters (Annual Evaluation of Executive Director). Commission Anaya seconded the motion and by roll call vote with all voting in favor and none against, the Board went into closed session.

The Board, upon motion, second and unanimous vote, returned to open session.

Vice Chairman Dorame announced that in executive session, no actions were taken and the only matters that were discussed were those permitted by §10-15-1(H)(2) of the Open Meetings Act concerning personnel matters.

e. Action: Approval of Executive Director Evaluation – Vice-Chairman Dorame:

It was moved, seconded, and passed by unanimous vote to postpone this item until the next regular board meeting.

f. NCRTD Election of Officers:

BOARD CHAIRMAN:

Councilor Herrera nominated Commissioner Mike Anaya for Chairman. Mr. Mortillaro seconded the nomination.

Councilor Herrera moved that nominations cease and Commissioner Anaya be elected by acclamation. Mr. Campos seconded the motion and it passed by unanimous voice vote.

VICE-CHAIRMAN:

Chairman Anaya nominated Councilor Alfred Herrera for Vice-Chairman.

Mr. Bulthuis moved that nominations cease and Councilor Herrera be elected as Vice Chairman by acclamation. The motion was seconded by Mr. Mortillaro and passed by unanimous voice vote.

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SECRETARY OF TREASURER:

Mr. Bulthuis indicated that Councilor Chávez would continue to serve as Secretary/Treasurer.

Commissioner Anaya moved to re-elect Councilor Chávez as Secretary/Treasurer of the Board. Mr. Mortillaro seconded the motion and it passed by unanimous voice vote.

6. MISCELLANEOUS

7. PUBLIC COMMENT REGARDING TRANSPORTATION ITEMS OR ISSUES

8. NEXT MEETING May 2, 2008

9. ADJOURN

Having completed the agenda and with no further business to come before the Board, the meeting was adjourned at approximately 12:30 p.m.

Approved by:

Charlie Dorame, Vice Chair

Attest:

Miguel Chávez, Secretary

Submitted by:

Carl G. Boaz, Stenographer